

Office of the State's Attorney - Fiscal Year 2021 Budget Review Summary

Proposed FY 2021 Operating Budget

Expenditures by Fund Type

Fund	FY 2020 Approved	FY 2020 Estimated	FY 2021 Proposed	4/20/2020 CEX Adjustment	FY 2021 Revised Proposed	\$ Change	% Change
General Fund	\$ 20,212,900	\$ 19,749,000	\$ 21,712,400	\$ (1,050,500)	\$ 20,661,900	\$ 449,000	2.2%
Grants	2,677,800	2,473,600	2,697,100	-	2,697,100	19,300	0.7%
Total	\$ 22,890,700	\$ 22,222,600	\$ 24,409,500	\$ (1,050,500)	\$ 23,359,000	\$ 468,300	2.0%

Authorized Staffing - All Classifications

Fund	FY 2020 Approved	FY 2021 Proposed	4/20/2020 CEX Adjustment	FY 2021 Revised Proposed	Change	% Change
General Fund	182	182	0	182	0	0.0%
Grants	34	35	0	35	1	2.9%
Total	216	217	0	217	1	0.5%

FY 2021 Proposed Budget – Key Highlights

- Increased Cost: Compensation – Mandated Salary Requirements (\$608,000)
- Increased Operating Cost: Technology Cost Allocation (\$387,100)
- Increased Cost: Fringe Benefits (\$245,300)
- Increased Operating: Interpreter/translator fees, vehicle maintenance costs (\$133,200)
- Increased Cost: Compensation – Salary adjustments for staff retention (\$75,900)
- Increased Cost: Recovery Reduction – Decrease in recoverable salaries (\$50,000)
- Vacancies (As of 3/20/20): 24 FT General Fund positions; two (2) PT General Fund positions; three (3) Grant Fund positions
- District Court ASAs averages 30 cases per criminal docket and 100+ cases per traffic docket
- Circuit Court ASAs case load ranges vary per unit: Guns and Drugs (30-70); Major Crimes (20-60); Strategic Investigations (25); Homicide (10-15); and Special Victims and Family Violence (20-30)
- FY 2020 YTD Monthly Attrition Rate: Attorneys: approx. two (2), Clerical: approx. one (1), both primarily due to resignations
- New Key Programs/Initiatives: State of Justice Symposium, Youth Justice Symposium, Human Trafficking Diversion Program, Howard University School of Law Partnership, Conviction and Sentencing Integrity Program, Special United States Attorney Program, Sexual Assault and Domestic Violence Prosecution Program, Gun Violence Initiative
- Continuing Key Programs/Initiatives: Back on Track Program, Project Safe Neighborhoods, Vehicle Theft Prevention

County Executive's Recommended Adjustments

- Reduce Compensation: Remove proposed Merits/COLAs and funding for vacant positions that were originally included in the FY21 Proposed Budget; Increased attrition (net change \$797,600)
- Reduce Fringe Benefits: As a result of the above adjustment to compensation (\$252,900)

Category	FY 2020 Approved	FY 2020 Estimated	FY 2021 Proposed	4/20/2020 CEX Adjustment	FY 2021 Revised Proposed	Change Amount	% Change
Compensation	\$ 14,242,500	\$ 13,988,300	\$ 14,926,400	\$ (797,600)	\$ 14,128,800	\$ (113,700)	-0.8%
Fringe Benefits	4,486,400	4,277,500	4,731,700	(252,900)	4,478,800	\$ (7,600)	-0.2%
Operating Expenses	1,601,800	1,601,000	2,122,100	-	2,122,100	\$ 520,300	32.5%
Recoveries	(117,800)	(117,800)	(67,800)	-	(67,800)	\$ 50,000	-42.4%
Total	\$ 20,212,900	\$ 19,749,000	\$ 21,712,400	\$ (1,050,500)	\$ 20,661,900	\$ 449,000	2.2%





THE PRINCE GEORGE'S COUNTY GOVERNMENT
Office of Audits and Investigations

April 30, 2020

MEMORANDUM

TO: Todd M. Turner, Chair
 Committee of the Whole (COW)

THRU: David H. Van Dyke, County Auditor 

FROM: Arian Albear, Legislative Budget and Policy Analyst 

RE: Office of the State's Attorney
 Fiscal Year 2021 Budget Review

Budget Overview

The FY 2021 Proposed Budget for the Office of the State's Attorney is \$24,409,500. This is an increase of \$1,518,800, or 6.6%, over the FY 2020 Approved Budget. The General Fund portion of the budget is \$21,712,400, an increase of \$1,499,500, or 7.4%, over the FY 2020 Approved Budget. The increase is due to mandatory salary adjustments, and increases in technology cost allocation, related fringe benefit and staff retention adjustment costs, interpreter/translator fees, and vehicle maintenance. There is also a decrease in recoverable salaries. The grant funded portion of the Office's budget is \$2,697,100, an increase of \$19,300, or 0.7%, over the FY 2020 Approved Budget. This net increase is due to the addition of five (5) new programs and the elimination of four (4) existing programs.

Approved Fiscal Year 2020 to Proposed Fiscal Year 2021

Fund	FY 2019 Actual	FY 2020 Approved	FY 2020 Estimated	% Change - Est vs App	FY 2021 Proposed	Change Amount	Percentage Change
General Fund	\$ 18,231,200	\$ 20,212,900	\$ 19,749,000	-2.3%	\$ 21,712,400	\$ 1,499,500	7.4%
Grants	1,874,316	2,677,800	2,473,600	-7.6%	2,697,100	19,300	0.7%
Total	\$ 20,105,516	\$ 22,890,700	\$ 22,222,600	-2.9%	\$ 24,409,500	\$ 1,518,800	6.6%

Authorized Staffing - All Classifications

	FY 2020 Approved	FY 2021 Proposed	Change	% Change
General Fund	182	182	0	0.0%
Grants	34	35	1	2.9%
Total	216	217	1	0.5%

Budget Comparison - General Fund

Approved Fiscal Year 2020 to Proposed Fiscal Year 2021

Category	FY 2019 Actual	FY 2020 Approved	FY 2020 Estimated	FY 2021 Proposed	Change Amount	Percentage Change
Compensation	\$ 12,827,695	\$ 14,242,500	\$ 13,988,300	\$ 14,926,400	\$ 683,900	4.8%
Fringe Benefits	3,999,766	4,486,400	4,277,500	4,731,700	245,300	5.5%
Operating Expenses	1,601,480	1,601,800	1,601,000	2,122,100	520,300	32.5%
Sub-Total	\$ 18,428,941	\$ 20,330,700	\$ 19,866,800	\$ 21,780,200	\$ 1,449,500	7.1%
Recoveries	(197,741)	(117,800)	(117,800)	(67,800)	50,000	-42.4%
Total	\$ 18,231,200	\$ 20,212,900	\$ 19,749,000	\$ 21,712,400	\$ 1,499,500	7.4%

Authorized Staffing - General Fund

	FY 2020 Approved	FY 2021 Proposed	Change	% Change
Full-Time	177	177	0	0.0%
Part-Time	5	5	0	0.0%
Total	182	182	0	0.0%

Staffing Changes and Compensation – General Fund

- The Proposed FY 2021 General Fund Budget includes 177 full-time positions, and five (5) part-time positions, which is consistent the FY 2020 approved staffing level.
- According to the Office of the State’s Attorney, as of March 30, 2020, 153 of the 177 General Fund full-time positions and three (3) of the five (5) part-time positions are filled.
- FY 2020 proposed compensation is increasing by \$683,900, or 4.8%, over the FY 2020 approved level. The proposed increase is due to anticipated cost-of-living adjustments and merit increases as well as funding for salary adjustments for employee retention.
- In FY 2019, the Office lost twenty-nine (29) employees: nineteen (19) attorneys and ten (10) clerical staff due to twenty-seven (27) resignations and two (2) regular retirements. As of April 21, 2020, the Office lost thirty-eight (38) employees: twenty-seven (27) attorneys and eleven (11) clerical staff due to thirty-seven (37) resignations and one (1) regular retirement.
- The Office reported that its current rate of attrition is 20.3%. The Office cites the following key factors contributing to the current attrition level: changes in leadership, judge appointments, increased workloads due to resignations, and higher compensation levels in National Capital Region and at the federal level. The following table provides the Office’s rate of attrition for the last five fiscal years:

Attrition Rate - Historical Trend					
	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020 (YTD)
# of Separations	15	23	29	29	38
# of Filled Positions	193	191	186	200	187
Rate of Attrition	7.8%	12.0%	15.6%	14.5%	20.3%

Fringe Benefits – General Fund

- In the FY 2021 Proposed Budget, Fringe Benefit expenditures are \$4,731,700. This is an increase of \$245,300, or 5.5%, over the FY 2020 Approved Budget, based on compensation changes and an increase in the fringe benefit rate.
- A five-year trend analysis of fringe benefit expenditures is included below.

	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Estimated	FY 2021 Proposed
Fringe Benefit Expenditures	\$ 3,410,432	\$ 3,743,419	\$ 3,999,766	\$ 4,277,500	\$ 4,731,700
As a % of Compensation	29.7%	30.4%	31.2%	30.6%	31.7%
Annual % Change		9.8%	6.8%	6.9%	10.6%

Operating Expenses

- In FY 2021, Operating Expenses are proposed at \$2,122,100 and consist of the following major items:
 - Office Automation \$1,031,600
 - General & Administrative Contracts 506,700
 - General Office Supplies 123,000
 - Vehicle Equipment Repair/Maintenance 82,200
- Operating Expenses are increased by \$520,300, or 32.5%, over the FY 2020 Approved Budget.
- The accompanying table compares the FY 2021 Proposed Budget operating expenditures with the FY 2020 Approved Budget operating expenditures. In three (3) of the categories, the FY 2021 Proposed Budget increases planned spending from the FY 2020 approved level. In thirteen (13) of the categories, the FY 2021 Proposed Budget level remains unchanged compared to the FY 2020 approved level.

Operating Objects	FY 2020 Budget	FY 2021 Proposed	FY 2020 - FY 2021	
			\$ Change	% Change
Office Automation	644,500	1,031,600	387,100	60.1%
General & Administrative Contracts	382,700	506,700	124,000	32.4%
Vehicle Equipment Repair/Maintenance	73,000	82,200	9,200	12.6%
Training	36,500	36,500	-	0.0%
Membership Fees	18,000	18,000	-	0.0%
Periodicals	44,900	44,900	-	0.0%
Telephone	69,000	69,000	-	0.0%
Office and Operating Equipment Non-Capital	50,000	50,000	-	0.0%
Other Operating Equipment Repair/Maintenance	400	400	-	0.0%
Travel: Non-Training	30,000	30,000	-	0.0%
Equipment Lease	42,900	42,900	-	0.0%
Mileage Reimbursement	4,000	4,000	-	0.0%
Printing	6,900	6,900	-	0.0%
Gas and Oil	33,000	33,000	-	0.0%
Miscellaneous	43,000	43,000	-	0.0%
General Office Supplies	123,000	123,000	-	0.0%
TOTAL	\$1,601,800	\$2,122,100	\$520,300	32.5%

- The most significant increase between the FY 2021 Proposed Budget and the FY 2020 Approved Budget is in the Office Automation category (an increase of \$387,100, or 60.1%). This is due to an increase in OIT charges based on new methodology to support anticipated countywide costs.

Recoveries

- In FY 2021, the Office is estimated to recover \$67,800 from the following items in the SR51 (2902) fund:
 - Back on Track (BOT) Program Expenses \$ 57,800
 - Back on Track (BOT) Participant Training 10,000
- A summary of the Back on Track (BOT) program is as follows:
 - **Back on Track** is a diversion program, approved by the Court of Appeals, which is focused on reducing recidivism among first time, nonviolent felony drug offenders. Eligible participants are 18 to 26 years old who have no prior felonious or violent convictions. These individuals will be given the opportunity to opt into a 12 to 18-month program designed to connect them to GED completion, workforce training, gainful employment, mentoring, and civic obligations.

Highlights

Workload/Performance Trends

- Despite crime statistics reflecting downward trends, the number of charged cases prosecuted remains constant. The Office continues to experience staff turnover due to historical compensation challenges and increasing caseloads due to staff resignations. Additional emphasis is being placed within the District Court screening and charging process to help identify cases that should not move forward.
- The Office continues to experience storage and electronic data management issues with the current amount of electronic data received in the form of cellphone data and body camera data dumps from various sources. The deployment of additional body cameras results in a capacity issue for existing legal assistants (paralegal) staff to assign in reviewing and requesting all required evidence available to effectively prosecute case. The Office is working with the current case management vendor to make required enhancements.
- The Public Integrity Unit (PIU) has received thirty-four (34) cases in FY 2020, an increase of seven (7) cases from FY 2019. The Unit's measurable successes include: securing the conviction of two (2) Prince George's County Police Department (PGPD) officers for excessive force and sexual assault. Several investigations are also underway regarding alleged embezzlement at the Washington Metropolitan Area Transit Authority (WMATA).
- The Strategic Investigations Unit (SIU) reports receiving 130 cases; 101 cases in CY 2019 and twenty-nine (29) cases in CY 2020. The Unit's measurable successes include:
 - Prince George's County Police Department Ghost Squad Initiative: an initiative to find and prosecute tire and rim theft committed by "professional" criminal organizations. Nine (9) theft crews were identified and fifteen (15) individuals operating the crews were arrested dismantling their networks. This initiative decreased thefts of this type by 68% between the creation of the task force and fall 2019.
 - Eight (8) MS-13 homicide cases were indicted by SIU in FY 2020 with one (1) homicide and one (1) attempted murder pending indictment once courthouse operations resume.
 - SIU has prosecuted dozens of violent felony strings (primarily armed robberies).
- In FY 2019, the Office handled 7,399 driving while drunk or impaired citations, involving approximately 2,500 defendants. An additional "must-appear" traffic citations were also handled as well as the bulk of the 2,336 municipal infractions, and 12,094 petitions for expungements.
- In FY 2019, there were 5,674 criminal filings in the County. Of these, 2,686 or 47.3% were the result of an original indictment or criminal information filed by the Office. An additional 802 cases were handled in the Juvenile Court operating under the Circuit Court.
- In FY 2019, the Office was responsible for 38,222 District Court criminal trial dates.
- In FY 2019, the Circuit Court was responsible for approximately 17,751 different events, including 6,025 scheduled trial dates, 2,249 hearings on motions, 3,772 status conferences, 1,505 specially set sentencing hearings, 1,262 violation of probation hearings, and eighty (80) post-conviction hearings.

- In FY 2020, due to high staff turnover, attorneys working in the District Court have experienced an increase in caseloads from an ideal schedule of one (1) or two (2) criminal dockets per week to three (3) or more criminal dockets and one (1) to three (3) traffic dockets.
- Caseloads in the Circuit Court vary depending on the unit involved and the complexity and seriousness of the case.
 - Guns and Drugs – caseloads range from thirty (30) to seventy (70) active cases. This unit is generally staffed with entry and junior level attorneys.
 - Major Crimes – caseloads range from twenty (20) to sixty (60) for line attorneys
 - Strategic Investigations – caseloads average twenty-five (25) active cases, number depending on staffing
 - Homicide – caseloads range between ten (10) to fifteen (15) cases per Assistant State's Attorney.
 - Special Victims and Family Violence – caseloads range from twenty (20) to thirty (30) indicted cases per Assistant State's Attorney.
- The Office has created several new units to address unmet needs such as: Public Integrity Unit (PIU), The Conviction and Sentencing Integrity Unit, Youth Justice Unit, and District Court Discovery Unit. The District Court Discovery Unit was created to help address and reduce the number of cases dismissed due to incomplete discovery.
- The Office works with the Office of the Sheriff to dismiss older cases in warrant status and anticipates dismissing 4,000 cases this year. This process is not easily automated as each case requires review.

Information Technology

- The Office receives body camera footage from some municipalities through evidence.com, a private sector solution paid for by the municipal agencies on a one-by-one basis. For PGPD, the process remains manual, with the office requesting footage and other materials via subpoena and then receiving them on a CD or DVD, which are then manually copied and provided to defendants.
- For the District Court, the Office is working on plans to automatically issue email notices and reminders for police officers about incoming trial dates in addition to physical summonses currently sent. Case manager vendor, Judicial Dialog, can implement this procedure; however, there are obstacles to putting plan into place because of the way data is received from the District Court.
- Ongoing discussion with Public Safety Communications about a central depository for body camera footage and related storage capacity concerns; however, policies and procedures regarding handling and access are still pending.

Facilities

- The Office expects to move one (1) or more prosecutorial units to space acquired on the ground floor of the County Administrative Building (CAB) once the Office is fully staffed. Some additional furnishings and wiring will be needed for the new office space.
- The Office anticipates relocating its staff serving the District Court (currently housed in a Greenbelt office space) into a space closer to the courthouse in Hyattsville. This will allow for more efficient staffing as well as easier access for witnesses, police officers, and others who come to the offices for scheduled twice-a-week case screenings. The current leasing cost associated for the Greenbelt office space is \$35,799 paid from Non-Departmental. The Office does not have sufficient operating funds to absorb this expense.

Budget Comparison - Grants

Approved Fiscal Year 2020 to Proposed Fiscal Year 2021

Category	FY 2019 Actual	FY 2020 Approved	FY 2020 Estimated	FY 2021 Proposed	Change Amount	Percentage Change
Compensation	\$ 1,426,333	\$ 1,884,900	\$ 2,061,400	\$ 1,977,400	\$ 92,500	4.9%
Fringe Benefits	74,461	310,000	200,900	233,400	(76,600)	-24.7%
Operating Expenses	373,522	482,900	211,300	486,300	3,400	0.7%
Total	\$ 1,874,316	\$ 2,677,800	\$ 2,473,600	\$ 2,697,100	\$ 19,300	0.7%

Authorized Staffing Count - Grants

	FY 2020 Approved	FY 2021 Proposed	Change Amount	Percentage Change
Limited Term	34	35	1	2.9%
Total	34	35	1	2.9%

Grant Highlights

- In FY 2021, the proposed Grant Fund Budget is \$2,697,100, an increase of \$19,300, or 0.7% over the FY 2020 Approved Budget. This increase is due to the addition of five (5) new programs and the elimination of four (4) existing programs.
- The Office's FY 2021 proposed grant-funded staffing includes thirty-five (35) limited term positions, which is one (1) more than in the FY 2020 approved staffing complement level.
- Eighty-five percent (85%) of the Office's FY 2021 Proposed grant funding is received from the Governor's Office of Crime Control and Prevention. This is a reduction from 96% in FY 2020. *For a complete listing of the Office's grant funding, please refer to the FY 2021 Proposed Budget Book page 282.*